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Client Reference: 2010638US/KA/Kp



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:  
TOYRYLÄ

Confirmation Number: 4459

Application No.: 09/972,899

Group Art Unit: 2683

Filed: October 10, 2001

Examiner: Joseph D. Nguyen

Title: A MECHANISM FOR POINT-TO-MULTIPOINT COMMUNICATION

REQUEST FOR RECONSIDERATION

RECEIVED

Commissioner for Patents  
P.O.Box 1450  
Alexandria, VA 22313-1450

AUG 18 2004  
Technology Center 2600

Sir:

Reconsideration and allowance are respectfully requested in view of the following remarks. Claims 1-17 are pending. Claims 1, 7, 12, 16, and 17 are independent.

**I. Claim Rejections – 35 U.S.C. § 102(e)**

The Office Action rejected claim 17 under 35 U.S.C. § 102(e) as being anticipated by Maggenti et al. (U.S. Patent No. 6,477,150). Applicant traverses the rejection because Maggenti fails to teach or suggest all the features of claim 17.

For example, Maggenti fails to teach or suggest a network element comprising, among other things, means for multiplying said uplink packet stream into at least said first and second downlink packet streams, “each of which ... contains additional information indicating to the radio access network that the stream is associated with the specific group communication,” as recited by claim 17.

The figures and passages of Maggenti (Figs. 1-3; col. 6, line 24 through col. 7, line 28; col. 21, line 33 through col. 22, line 58) referred to in the Office Action merely disclose a CM (communications manager) media signaling destination address for the uplink. Maggenti is silent with respect to at least the above-identified feature of claim 17, which makes it possible in the radio network to recognize not only single streams, but also which streams

belong to the same group, and which enables resources to be efficiently utilized even when only one group is involved.

For at least the above reasons, claim 17 is not anticipated by Maggenti, and the rejection under 35 U.S.C. § 102(e) should be withdrawn.

## **II. Claim Rejections – 35 U.S.C. § 103(a)**

Claims 1-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maggenti in view of Yarwood (WO 94/28687). Applicant traverses the rejection because the cited references, analyzed individually or in combination, fail to teach or suggest all the features of the rejected claims.

For example, the cited references fail to teach or suggest a method for point-to-multipoint communication on a communications network, comprising, among other things, “if the first downlink packet stream is associated with group communication which has already reserved downlink radio resources for a second mobile recipient located in the same radio cell as said first mobile recipient, allocating no new radio resources for the first downlink packet stream but instructing said first mobile recipient to receive said second downlink packet stream over said already reserved radio resources,” as recited by independent claims 1 and 7 and their dependent claims.

Similarly, the cited references fail to teach or suggest a mobile communications system comprising, among other things, “means, responsive to the first downlink packet stream associated with group communication which has already reserved downlink radio resources for a second mobile recipient located in the same radio cell as said first mobile recipient, for allocating no new radio resources for the first downlink packet stream but instructing said first mobile recipient to receive said second downlink packet stream over said already reserved radio resources,” as recited by independent claim 12 and its dependent claims.

Additionally, the cited references fail to teach or suggest a network element wherein, among other things, “said network element, which is responsive to the first downlink packet stream being associated with group communication which has already reserved downlink radio resources for a second mobile recipient located in the same radio cell as said first mobile recipient, allocates no new radio resources for the first downlink packet stream but instructs said first mobile recipient to receive said second downlink packet stream over said already reserved radio resources,” as recited by independent claim 16.

The Office Action referred to various figures and passages of Maggenti (Figs. 2-3 and 7-13; col. 5, line 26 through col. 8, line 67; col. 10, lines 20-40) in support of the above-identified features recited by Applicant's claims. However, those figures and passages merely teach interactions between system components (e.g., a communication device and communications manager) and teach that a transmission privilege allows only a single user to transmit information to other net (group) members at a given time. In addition, they merely disclose only two possibilities for group communication. In the unicast method, the data stream is copied and then transmitted for every single recipient. (Col. 7, lines 2-7.) In the broadcast method, one data stream is directed to all mobile stations located in the area of one base station. (Col. 22, lines 44-58.) Therefore, Maggenti does not teach the above-identified features of Applicant's claims.

Yarwood fails to remedy the above deficiencies of Maggenti because Yarwood also does not teach or suggest the above-identified features of the claims. Yarwood merely discloses a group call system in which all mobile units receive a call, over a single channel, from a control centre or another mobile unit. (Abstract.) As such, if Yarwood were combined with Maggenti, the claimed invention would not result. Instead, the combination of Yarwood and Maggenti would lead to a situation in which all subscribers residing in a cell area would receive the group communication information along a single channel. Such a result is in direct contrast to Applicant's claimed invention, wherein two different groups in a particular cell can be served separately with a single respective channel.

For at least the above reasons, claims 1-16 are patentable over the cited references, and the rejection under 35 U.S.C. § 103(a) should be withdrawn.

### **III. Conclusion**

All objections and rejections having been addressed, Applicant requests issuance of a notice of allowance indicating the allowability of all pending claims. If anything further is necessary to place the application in condition for allowance, Applicant requests that the Examiner contact Applicant's undersigned representative at the telephone number listed below.

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Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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